

CONFIDENTIAL**Office Memorandum • UNITED STATES GOVERNMENT**

TO : Acting Assistant Director for Operations

DATE: 24 February 1956

FROM : Chief, Foreign Documents Division

SUBJECT: Restitution of Captured German Documents

1. I attended a meeting at 1000 hours this date called by Lt. Col. Scott-Smith, ACSI, in the Pentagon. Those attending in addition to Lt. Col. Scott-Smith were Mr. McCool and Mr. Pomeranz of the AGO and [redacted] of BR/OCR/CIA.

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2. Mr. McCool speaking for the Adjutant General's Office explained that they were concerned with an anticipated request from the Germans in the near future for the restitution of the German captured documents. In addition they were being pressed vigorously by the American Committee for the Study of War Documents, which is associated with the American Historical Association, to tell them how many documents were going to be reproduced prior to restitution and whether those documents being returned without reproduction could be made available to the Committee to reproduce prior to restitution.

3. Mr. McCool's staff had drawn up a preliminary restitution schedule which shows that of the 20,000 feet of captured documents, approximately 6,000 feet would be in prohibited categories not to be returned, in accordance with established US policy, and of the remaining 13,000 feet, 11,000 feet should be microfilmed as of interest or potential interest to the US Government.

4. The crux of the problem is that they would like to set up a schedule to complete the microfilming in 6 years time. However, this would, according to their estimates, call for an additional 13 clerks over and above their present T/O. Because CIA is the primary user of these documents, they wish to determine whether or not CIA would be willing to supplement their staff to the extent of 13 clerks in order to complete the microfilming within a 6 year period. [redacted]

5. In addition, ACSI is interested in the possibility of forming a joint ACSI-CIA team to perform a detailed screening of the documents prior to microfilming, to determine their intelligence value, their proper classification and whether they should be returned or not. Such a team would have to be composed of linguists and intelligence officers. Lt. Col. Scott-Smith suggested two from ACSI and two from CIA.

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Army review(s) completed.

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6. Following the meeting I have reviewed the tentative schedule with our people who know the documents well and have come to the following conclusions:

- a. That CIA's interests are well covered in the 6,000 plus feet of documents to be retained.
- b. That CIA should be willing to concur generally in the return of the remaining 13,000 feet without micro-filming subject only to a prior fine screening of a few groups of documents.
- c. That as we do not anticipate a requirement for microfilming of more than approximately 30 feet, instead of 11,000 feet, no real microfilming problem exists.
- d. That we should join with ACSI in reviewing at least certain groups of documents prior to their restitution.

7. Recommendations:

- a. That the conclusions in para 6 a-d be approved.
- b. That I be authorized to inform Lt. Col. Scott-Smith for the ACSI and Mr. McCool for the AGO the CIA position as approved above.

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[REDACTED]
J. J. BAGNALL

EXCERPT FROM AAD/C DIARY FOR THURSDAY, 1 March 1956:

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Mr. Bagnall called in regard to the memorandum he had sent to me regarding the return of captured German documents. A copy had gone to [REDACTED] Bagnall said that [REDACTED] had just called him in a high state of excitement and told him that FDD could take no action and that only he, [REDACTED] had the authority to speak officially for the Agency in this matter and that he proposed to write the AGO. As usual, this is impertinent of [REDACTED] as Mr. Bagnall's memorandum was addressed to me and he had requested me to authorize certain courses of action. However, we have really got what we wanted as it was evidently agreed that Mr. Bagnall should discuss the matter with interested persons in DD/P. I have also asked him to talk to [REDACTED] and possibly [REDACTED] in OCR. When he has had an expression of opinion from these people he will call his Lt. Col. friend in AGO and very unofficially give him our reactions. Mr. Bagnall will emphasize that this is unofficial that that he cannot speak for the whole Agency and suggest that if the AGO would like an official Agency position, a letter should be written to the Director. (cc: Chief, FDD)

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